



John L. Salomone
Town Manager

TOWN OF NEWINGTON
131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR JEFF WRIGHT

Minutes

Newington Town Council

September 28, 2010

Mayor Wright called the meeting to order at 7:00 pm in the Helen Nelson Room of the Newington Town Hall.

I PLEDGE OF ALLEGIANCE

II ROLL CALL

Councilors Present:

Councilor Casasanta
Councilor Cohen
Councilor Klett
Councilor Lenares
Councilor McBride
Councilor Nagel
Council Nasinnyk
Mayor Wright
Councilor Banach - absent

Staff Present

John Salomone, Town Manager
Jaime Trevethan, Exec. Asst. to the Town Manager
Mary Richard, Council Clerk
Bruce Till, Supt. Parks & Rec
Ann Harter, Director of Finance

III PUBLIC PARTICIPATION

Mr. Clark E. Castelle, 167 Connecticut Avenue – Board of Education - made reference to some remarks the Mayor said in closing two weeks ago. He doesn't believe how vigorously the Chairman and members of the Board are fighting to release basic information now for months. He said to the Mayor, that just seven days before you made that statement there was a Board of Ed meeting, and during that meeting Chairman Woods repeatedly stated that Councilor Casasanta was welcome to come into the Superintendent's office any time and look at any document she asked for. He also affirmed that as a private citizen requesting information under the Freedom of Information Act she will be given every scrap of paper that she is entitled to and that means everything. That is what we characterize as a vigorous fight against the release of information. He said that the Mayor knows when all this is said and done and the information comes across as not even close to 11,000 documents. He questioned how is the Mayor able to make this kind of a statement only days after a board meeting in which our business is explained in detail how we estimated the number of documents category by category and after Mr. Woods clarified that the number comes down to 6,000 copies taking out the payroll. He asked if the Mayor is suggesting that our Business Manager hasn't given this matter enough thought. Here are his estimates, category by category, and Mr. Castelle asked if the Mayor would tell us which ones he is mistaken about. He said that the Mayor said and he quoted "and this all can be transferred on an electronic basis," and he asked how do you know. If we say that the invoices aren't standard to the system are you saying that they are? If our Business Manager says that the students names or Purchase Orders have to be redacted so that copying has to be done not once, but twice, are you, The Mayor, saying that that's not true. And finally Mr. Castelle said that the Mayor said "under

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the understanding that the average the increase is going to be uh 3% this us (these are the Mayor's 'uh's not his), no school year for the average teacher. If you include the steps the average increase for the teachers for the Town of Newington is 5.6% and that is shocking and something the public should know about". He said that Mayor Wright saw a slide on January 13, showing a total budget in staff salary increase before additions or reductions in staff at 5.08%, and even pointed out the number and received explanations from Dr. Collins. Mayor Wright reminded Mr. Castle that his time was up.

Rose Lyons, 46 Elton Drive – said that since the Council is considering a change in the Town Council Rules and Procedures regarding public participation she would ask that before changing the rules that the current rules are discussed. She read from the Rules and Procedures that each speaker limit their remarks to three minutes and if the speaker exceeds the limitation the Chair shall notify the speaker and allow 30 seconds for summation. The Chair at his or her discretion may grant the speaker additional time. Ms. Lyons said that her interpretation is that the speaker has three minutes and when those three minutes are up the Chair shall notify the speaker and allow 30 seconds for summation. She said that the time that's discretionary to her is after the speaker has spoken for three minutes and 30 seconds. She said that the Mayor has taken, on several occasions, valuable seconds from speaker's time to ask that he or she wrap up their remarks. The proposal before the Council tonight does not resolve the issue of allowing the public three minutes and 30 seconds at the beginning of the meeting. She also asked the last sentence of Public Participation be reviewed stating that 'written communications will not be read into the record unless requested by a Councilor. She asked that if there are any of those letters that the Councilor requested to be read, that they be read during Public Participation, not just before the vote and also the reading of the letter should not exceed three minutes 30 seconds for summation.

IV CONSIDERATION OF NEW BUSINESS

A. Budney Road Industrial Park – Release of Covenant

WHEREAS, the Town of Newington acting through the Development Commission established the covenants for the 7.8 acres Budney Road Industrial Park, October 6, 1983; and

WHEREAS, the Budney Road Industrial Park is composed of six (6) privately owned parcels and one (1) parcel owned by the Town of Newington; and

WHEREAS, all six (6) private property owners have unanimously petitioned for the termination of the Industrial park covenants and the Development Commission at its September 1, 2010 meeting recommended that the Town Council support this request;

NOW, THEREFORE BE IT RESOLVED, that the Town Council endorses the release of the Budney Road covenants and directs the Town Manager to coordinate with the Town Attorney the filing of notice on the land records that will be necessary to execute the covenant's termination.

MOTION BY: Councilor Casasanta

SECONDED BY: Councilor Nagel

VOTE: 8 -0 Councilor Banach absent

B. 8-24 Report: Sale of Town Owned Land to the State: Milk Lane

WHEREAS, the Town of Newington acting through the Development Commission established the covenants for the 7.8 acres Budney Road Industrial Park, October 6, 1983; and

WHEREAS, the Budney Road Industrial Park is composed of six (6) privately owned parcels and one (1) parcel owned by the Town of Newington; and

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NOW, THEREFORE BE IT RESOLVED, that the Town Council endorses the release of the Budney Road covenants and directs the Town Manager to coordinate with the Town Attorney the filing of notice on the land records that will be necessary to execute the covenant's termination.

MOTION BY: Councilor Casasanta

SECONDED Councilor Nagel

VOTE: 8 -0 Councilor Banach absent

Mayor Wright said that this was a piece of land that's basically identified as Milk Lane but it really a piece of property that runs about 500 feet along the highway department's property, about three feet wide and totals

1500 square feet and this is only an 8-24 referral to the Town Planning and Zoning for the recommendation on this sale.

Mr. Salomone said that this will come back after the recommendation for consideration of sale.

V. CONSIDERATION OF NEW BUSINESS

A. 8-24 Report: Clem Lemire Turf Field

Mr. Salomone said that tonight's discussion will be to refer this public project to the Planning and Zoning Commission for an 8-24 review. It is not for the Council to approve the project in any way, however since it has been moved along it's an appropriate time to at least give the Council an update of the progress and shows a time line for the project. No decisions at this point.

Mr. Bruce Till displayed two boards showing the existing plan as the field sits now, the other board showed the proposed plan. He said that the difference in terms of the size of the field and the proposed field is 195 by 360 and by doing that it allows for midget football and also lacrosse, field hockey and soccer. He said that the survey at the site investigation has been completed and it's important to know that there has been soil testing and the wetland as well as the borings for the proposed lighting. He included two layouts of the existing and proposed field. He went on that the soil has come back positive and one thing that was a bit of a surprise was the crown of the field was a lot higher than anticipated, showing 105 at the top, and 108 at the middle of the field. He said that some material will have to be taken out and has been estimated. He said that there is 5 foot sidewalk proposed to go around the field, and a 4 foot fence that will go around the field. The field will be moved somewhat toward the State Park but not taking away from the State Park area. Mr. Till said that he will be setting up a meeting after this meeting within the next two weeks. Mr. Till said that the progress is right on time and he would like this done as soon as possible, but two weeks won't make much difference.

Mayor Wright asked for a motion to waive the rules to vote this evening on sending the project to the TPZ for an 8-24 report. Councilor Casasanta move to waive the rules. Councilor Klett seconded. Vote 7 yes – 1 no (Councilor Nasinnyk opposed, Councilor Banach absent).

RESOLVED:

Pursuant to Connecticut General Statutes Section 8-24, the Newington Town Council hereby refers to the Newington Town Plan and Zoning Commission the Clem Lemire Artificial Turf Field project, located at Clem Lemire Park, Newington, Connecticut, for the express purpose of providing a report to the Council as required under Section 8-24.

MOTION BY: Councilor Lenares

SECONDED BY: Councilor Klett

VOTE: 8 -0 Councilor Banach absent

B Discussion: Monthly Status of Revenues and Expenditures

Councilor Klett said that she wanted an understanding. She asked about the percentages and what they mean. Mr. Salomone explained that Ms. Harter tonight was only to explain what's in her monthly report and define some of the columns so everyone's on the same page.

Ms. Ann Harter, Director of Finance – distributed copies of the report showing the status of expenditures. Ms. Harter showed that it starts with the revised budget, the YTD Expended amounts are the bills that we've paid, so when we pay a bill it's reported in the system. It also includes journal entries when we transfer funds, which is also considered an expenditure. The Encumbered column is purchase orders which are recorded on our system, when a department orders something they earmark that account to make sure they don't over spend it. The available budget is the revised budget and shows a percentage of what was used. She went on that throughout the year there are usually full time salaries which is a consistent amount, sometimes overtime, paying for snow and ice that's only used in the Highway Department that's cyclical, and that overtime may not be used until it snows. She said that there are various percentages throughout each account, some accounts are used right up front, like the Pension Plan, make the contribution in July and that accounts shows that it's being used 100%. On the Board of Education shows a list of check registers which is a list of accounts payable, recorded on our system. She said that she will get a monthly report from the Board of Education which will have

their encumbered numbers and expenditures, and she said they take time to reconcile that and then report it. If it takes too many months to do that, whatever we have will be reported on the system but at some point you will see that the expenditures for the Board of Education as of July 31st and that is reconciled with the Board of Education. Mr. Salomone asked Ms. Harter to comment on the number in the Board of Education for the end of month why the budget showed \$10,000,000. She explained that the budget was \$57,000 and expended was \$47,000 and available was \$10,000,000. At that point she said that she didn't have their encumbrance and probably that was mostly payroll.

Councilor Casasanta said that this discussion is related to her request from the Board of Education, she contacted Ms. Harter and received no response but referred to Mr. Jachimowicz and looking at now and after meeting with Dr. Collins, there's now unencumbered \$1.8 million. Ms. Harter said that the Board of Education will be returning \$40,938.

Councilor Klett said that what was puzzling to her was that in terms of percentages of the revised budget which has been extended and encumbered was 82.60% in that there are many others areas in Town that weren't an issue and percentage to percentage you could see the ground maintenance of 83.50% on the same report the Town Manager was 82.40%, she went on that we can't look at dollar figures, because that's we've given. She believe that this report clears thing up a bit. Mayor Wright said that we get a lot of budgets that are under or over and looking at this for the public's purpose, May 31st meaning that we're through eleven of the twelve months. He said that the follow up discussion if there's a surplus or deficit, what happens to those things and looking at the budget and looking for ways to save for the taxpayers there's a natural reaction to want to look at something that represents over 60% of the budget. Councilor Klett said that just as we determine that the Police Department needs a certain percentage and to be fair to the Board of Education to compare apples to apples no matter what the dollar figure is that we determine she thinks we made an issue about what was recorded and didn't seem to have the same concerns for the rest of the community.

Mayor Wright passed out a record of information he requested about Fund Balances and the good news is that the Town of Newington for last fiscal year ending on June 30th we're looking at a budget surplus of over \$3.1million dollars. Of that the Board of Education contributed almost \$41,000 to that \$3.1 million dollars and he said it's important that the extra amounts in here we can see based on what was allocated in the last budget we ended up spending \$1,300,000 less than we had allocated. He said that we're very proud of the work that the Town Manager did plus the fact that our revenues, more people paid their taxes than was expected. Councilor Klett said that 86% of their budget is salaries, and are you suggesting that we lay off teachers. Mayor Wright said that he was not suggesting that and asked what percentage of our budget is actually for payroll. Ms. Harter said she would have to double check on that. Mr. Salomone said that it's probably in the 70% range. Councilor Klett said that it's always been easier to try to cut from General Government because they have fields that can be cut that the Board of Education doesn't have.

Mayor Wright said that we should examine this further and understand how we can bring more savings. Councilor Klett said that's why we have a Republican and Democrat Board of Education and why the people elected nine members to the Board of Education to take care of the Board of Ed business. Councilor Cohen asked if the Mayor was suggesting that because the Town had a larger surplus than the Board, that the Board should be compared to the size of the Town size. Mayor Wright looking at the expenditures we spent almost \$4,000,000 less than what was allocated and the fact that it's the Town budget excluding CIP and debt service represents about 1/3 of the Board of Education side, which over three years was only able to return a surplus of just over \$98,000, and he said that it 'draws him pause.' Councilor Casasanta said that she thinks what Councilor Klett is alluding to is the thought that it's been perceived that she, Councilor Casasanta, is looking to find problems in the Board of Education and that's not what she was asking. She said she asked how the money is spent, not to comment but to ask which has resulted in all of this. Councilor Klett said she doesn't see how anyone expects to see a lot of money left over when 86% of the budget goes to pay teachers. Councilor Casasanta said that her request is still open. She said she's looking for more transparency on both sides and the public has a right to know. She said that we could have eliminated some of this discussion and that this part of the report was incorrect.

Mr. Salomone said that this report is not incorrect it's just a snapshot of what occurred on that day, there was a lag on that day and that it catches up the next month. Councilor Nasinnyk said that the report submitted by Ms. Harter was very informative and appreciated that she took the time to submit it. Mayor Wright said it was discussed during the budget deliberations a surplus in the budget in the neighborhood of \$600,000 and also a

surplus to Health Benefits account the Board of Education came in at \$644,959 which stays with the Board of Education instead of staying in the Health Benefits account. The previous year they had a deficit of \$541,000 which was covered by the Health Benefits account. Mayor Wright said that this is something that this Council should revisit with the Board of Education at some point in the future. He thinks when we allocate Health Insurance dollars they should stay as Health Insurance dollars, we have about an \$18,000,000 OPEB, and have surplus on both sides go into the OPED account to help reduce the liability of both the Board of Education and the Town of Newington. The fact that there's a \$644,000 surplus in this budget year he thinks it would be a great opportunity to get a jump on the \$180,000,000 liability. Councilor Casasanta said that perhaps saying that the report was wrong it was a poor choice of words and when speaking with Dr. Collins he said that when he looked at the report he might have better understood what she was looking for.

A. Discussion: Recommendations of the Town Council Rules of Procedure Subcommittee

Councilor Klett asked to table the discussion because the Town Manager has some concerns that he has brought to her attention and discussed them with Mrs. Casasanta and Mrs. Cohen. She asked that the Subcommittee meet again and come back to the Council after the discussion. Mayor Wright and the Council agreed by consensus to table the item.

VI RESIGNATIONS/APPOINTMENTS

RESOLVED:

That the Newington Town Council hereby makes the following appointments:

1. Affordable Housing Monitoring Agency

Sharon Braverman	39 Churchill Way	D	IMMED-11/30/13	L. Connery (Resigned 4/15/10)
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2. Balf-Town Committee

Name	Address	Party	Term	Replaces
Bernadette Conway	177 Hartford Avenue	D	IMMED.-01-01-50	N. Lebrun (Res. 9-1-10)

14. Vehicle Appeals Board

Name	Address	Party	Term	Replaces
Don Woods	82 Ivy Lane	D	IMMED.-11/30/11	L. Connery (Resigned 4/15/10)

MOTION BY: Councilor Nasinnyk

SECONDED BY: Councilor Klett

VOTE: 8 – 0 Councilor Banach absent

VII TAX REFUNDS

RESOLVED:

That property tax refunds in the amount of \$2,417.69 are hereby approved in the individual amounts and for those named on the "Requests for Refund of an Overpayment of Taxes," certified by the Revenue Collector, a list of which is attached to this resolution.

MOTION BY: Councilor Casasanta
SECONDED BY: Councilor Nasinnyk
VOTE: 8 – 0 Councilor Banach absent

VIII MINUTES OF PREVIOUS MEETINGS

A. August 24, 2010

Councilor Cohen submitted the following amendments to the August 24, 2010 meeting minutes:

- Page 3, line 13 should read “without Town funds added”
- Page 4 – 2nd paragraph – the Mayor’s statement regarding the Police contract should read the
- “First year and a half with 0% increase”
- Page 5 – end of 2nd paragraph – Regarding Board of Education should read “they will wait to the end of the fiscal year”
- Page 6 – 2nd paragraph – 1st line should read “encumbered”
- Page 6 - 4th paragraph – line 7 should read “\$10,000,000 worth of purchase orders”
- Page 6 – 4th paragraph - Line 8 – should read “what’s the next step, July and August?”

Councilor Cohen moved to accept the minutes as amended. Councilor Nasinnyk seconded.
Vote 8 – 0 Councilor Banach absent

Councilor Cohen submitted the following amendments to the September 14, 2010 meeting minutes:

- Page 4 – 3rd line up from bottom should read “**did not get any increase last year.**”
- Page 5 – Mr. Salomone’s statement should read “**...at a contingency and anticipated fund balance**”

Councilor Cohen moved to accept the minutes as amended. Councilor Nasinnyk seconded.
Vote 8 – 0 Councilor Banach absent

IX WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC

A. Town Manager’s Report

Mr. Salomone said that he did receive two items hot off the press, from the Council of Small Towns \$200,000 STEAP Grant for Market Square construction, generally \$200,000 was about the max, a few higher. At this point there would be about \$900,000 in place, which is good news.

Mr. Salomone said that he received an email from Ed Meehan saying that the Department of Economic Development had approved a \$1.3 million grant for New Meadow Phase II project that’s additional money needed to complete the project beyond the Section 202 housing grant and they will be closing this Thursday and will be starting construction in October.

X COUNCIL LIAISON/COMMITTEE REPORTS - NONE

XI PUBLIC PARTICIPATION

Mayor Wright repeated the phone number for the public participation 860-665-8736

Mr. Clark E. Castelle, 167 Connecticut Avenue, Member Board of Education – continued from his previous statement. He said that the Mayor concluded his remarks during the last meeting with an attack on certain individuals and their salaries, and to him, Mr. Castelle, was so ugly that he won’t repeat it. He continued that the Mayor then stated that you were under the understanding that the average increase was going to be 3% this school year for the average teacher. The average increase for our teachers for the Town of Newington is 5.6% and that is shocking and he thinks the public should know about it. He said to Mayor Wright that seeing the slide on Jan. 13th, where Dr. Collins submitted his preliminary budget to the board. The first major slide showed a total

budget and staff salary increase before addition and reductions was 5.08%, you pointed this number out to Dr. Collins and asked for explanations and got explanations from Dr. Collins. The only thing possibly incurred from that figure is that the teacher component of that salary is expected to be even higher. The implication of what you said is that the Board of Education deliberately tried to mislead you and the public into thinking that the average raises would be 3% and nothing can be further from the truth. Mr. Castelle believes that the Mayor owes everyone an apology. Also he believes that the Mayor owes an apology to a third grade teacher who has devoted her life to the children of our Town and the Mayor had no qualms about humiliating and reducing her to tears. Rose Lyons, 46 Elton Drive – she read and sat through Council meetings and Board of Education meetings, regarding this \$10,000,000 and thanked Councilor Klett for bringing it to the table so that everyone can communicate with each other. One other thing, she said that the Mayor should not take this personally, she said that the Mayor was a little concerned about people referring to the parking lot at the last meeting as at the 'parking lot' and not Constitution Square. She knows that there is a picture of the sign, now missing, reading 'Constitution Square'. It would be great if we could put up signs for 'Constitution Square', so it's going to take some time getting use to.

XII REMARKS BY COUNCILORS

Councilor Klett thanks everyone who participated in the Waterfall Festival, it was an outstanding day for the Town of Newington.

Councilor McBride reported that the Downtown Revitalization Committee will meet on October 18th with just the beginning phases of options and encourages property owners to attend the meeting.

Councilor Nasinnyk said that the CIP meeting will be held tomorrow, Wednesday at 4 PM.

Councilor Nagel said that he too thanked everyone who attended the Waterfall Festival and made it a memorable day.

Councilor Casasanta said that her request could have been handled in a more professional manner and (inaudible)

Mayor Wright commented on the remarks of Mr. Castelle, basically if anyone wants the information that he referred to as the Administrators or the teacher pay increases for this year, he requested that they send him an email and he will respond with the documents needed to answer the questions. The number that Mr. Castelle was referring to the degree of breakage that happens there. He said that the actual pay increase is an average 5.6%. The administrative average pay in the Town of Newington is \$119,000 based on that spreadsheet and he thinks it's alarming that the teachers do get a 5.6% increase, and in this climate it's out of whack. The fact that we have a third grade teacher making over \$100,000 a year he doesn't know how we can pay that amount for teachers and expect us as taxpayers to keep the system going. We need to find all kinds of places in the Town where we can save money for the taxpayers.

Mayor Wright entertained a motion to adjourn

XIII ADJOURNMENT

Councilor Lenares moved to adjourn at 8:30 PM. Councilor Casasanta seconded. Vote 8 – 0 Councilor Banach absent

Respectfully submitted,

Mary Richard
Council Clerk

